

# Public Meetings

1                               BEFORE THE  
 2                               FEDERAL ENERGY REGULATORY COMMISSION  
 3  
 4       - - - - - X  
 5       IN THE MATTER OF:                               : Docket Numbers  
 6       NORTH BAJA PIPELINE EXPANSION PROJECT : CP06-61-000  
 7   : CP01-23-003  
 8       - - - - - X

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 10  
 11                               Vaction Inn  
 12                               2015 Cottonwood Circle  
 13                               El Centro, CA  
 14                               Tuesday, December 5, 2006

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 17               The above-entitled matter came on for public meeting,  
 18       pursuant to notice, at 7:08 p.m.

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 21       BEFORE:   DAVE SWEARINGEN, FERC  
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# Public Meetings

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## 1 PROCEEDINGS

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(7:08 p.m.)

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MR. SWEARINGER: On behalf of the Federal Energy  
Regulatory Commission and the California State Lands  
Commission, I want to welcome you all here tonight. Let the  
record show that the El Centro Public Comment meeting began  
at 7:08 p.m., December 5, 2006.

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My name is Dave Swearinger and I am the  
environmental project manager with the FERC, Federal Energy  
Regulatory Commission. At the end of the table is Tom  
Filler and he's with the California State Lands Commission.  
We are the respective environmental project managers for the  
production of the Environmental Impact Statement  
environmental impact report for the North Baja Expansion  
Project. I'm just going to abbreviate that as EIS,  
Environmental Impact Statement report. I'm going to call  
that an EIS for short.

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My agency, the FERC, is the federal lead for the  
project and Tom's agency, the State Lands Commission is the  
state lead agency for the North Baja Expansion Project.  
Also with me tonight are Amy Davis and Dave Potter with NIG,  
the environmental contractor assisting us with the  
environmental analysis for the North Baja Project. Amy is  
to my left and Dave is at the sign-in table at the back.

# Public Meetings

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1           The U.S. Bureau of Land Management is a  
2       cooperating agency for the preparation of the EIS and is  
3       using the document for evaluating amendments to the  
4       California Desert Conservation Area plan and the Yuma  
5       District resource management plan. Linda Kastol, from the  
6       BLM, is in the audience. She's here with us tonight. If  
7       you have any questions for the BLM, you can talk to Linda  
8       after the meeting. She'll be glad to answer any questions  
9       you may have.

10           The purpose of this meeting is for the FERC, the  
11       State Lands Commission and the BLM to get your comments on  
12       the draft EIS that we recently released. In a moment I'm  
13       going to give a brief overview of the FERC process and then  
14       the State Lands Commission will have a chance to discuss  
15       their agency role in the North Baja Project.

16           To speak tonight, we have a sign-in sheet in the  
17       back. If you could, I'd like for you to sign up there if  
18       you haven't already. If you prefer not to speak tonight,  
19       you can mail a comment letter to the FERC or submit comments  
20       electronically. There's a sheet at the back table that has  
21       instructions on how to use the FERC website for sending in  
22       electronic comments and it also has a reiteration of what  
23       was in the draft EIS of how to submit written comments to  
24       the Commission. If you have any question on that, you can  
25       also talk to me after the meeting. I'd be glad to explain

# Public Meetings

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1 it further.

2 Where we are in the process. We're in the midst  
3 of the 90-day comment period on the DEIS. That comment  
4 period ends on December 28th. All comments that we receive  
5 within the comment period we'll address in a final EIS. The  
6 types of comments that are helpful to us are specific ones  
7 to the project. If you read something in the draft EIS that  
8 you think is incorrect or the analysis is flawed, then your  
9 comment to point us in the right direction is very helpful.  
10 To say something like, "Well, I don't like it" or "I think  
11 it's wrong." I mean that's interesting, but it's not  
12 particularly helpful because what we do is we take your  
13 comments and then we use those to either add to our analysis  
14 or revise the facts that we've presented. And then when we  
15 issue the final, hopefully, then we've addressed the  
16 comments that you have.

17 Sometimes our analysis will lead us to a  
18 different conclusion than you might hope, but that's just  
19 the nature of how these things work. So please be specific  
20 with your comments when you send them in or when you make  
21 them. Thank you.

22 I'd like to note that North Baja recently filed  
23 an amendment to the proposed action that incorporates what  
24 we call the Arrowhead Alternative that is discussed in  
25 chapter 3 of the draft EIS. Thus, from this point the

## Public Meetings

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1 facilities associated with the Arrowhead Alternative are  
2 going to be part of the proposed action and we will evaluate  
3 them as such.

4 If you received a copy of the draft EIS, you'll  
5 automatically receive a copy of the final. If you did not  
6 get a copy of the draft and you'd like to have a copy of the  
7 final, you need to sign up on the sheet in the back so that  
8 we have your address and know to send you a copy. There's a  
9 stack of the CD versions of the draft EIS on the back table.  
10 If you don't have one, you can pick one up on the way out if  
11 you'd like.

12 Once we've finished the final EIS and mailed it  
13 out, we'll forward that on to our Commission at FERC. The  
14 FERC Commission will consider our environmental analysis  
15 along with non-environmental issues in order to determine  
16 whether or not to issue an authorization for the project.  
17 Thus, the EIS in itself is one tool in the process and it is  
18 not a decision-making document for the FERC.

19 Now I want to turn the meeting over for a minute  
20 to Tom Filler so he can explain the State Lands Commission  
21 involvement in the Baja Project and how his agency is using  
22 the draft and final environmental documents.

23 MR. FILLER: Good evening and welcome. My name  
24 is Tom Filler. I'm with the California State Lands  
25 Commission. Our agency is the SEQA lead on this project and

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1 basically our regulatory function is to make sure that the  
2 document and the project are following the SEQA requirements  
3 or the requirements that are set forth in the SEQA.  
4 Therefore, as Dave said, we're basically in the comment  
5 period for the draft document now. We'll receive the  
6 comments and we look forward to getting those on the  
7 document, and then those will be incorporate.

8 When that is done, at some point we will take the  
9 document and take that forward to the Commission and  
10 therefore the Commission will have the ability to certify  
11 that everything in the document is in compliance with SEQA  
12 or has followed the requirements of SEQA and therefore they  
13 will certify the document as such. If they don't believe  
14 that is correct, then they won't certify it and we'd have to  
15 go back and adjust those discrepancy.

16 Then once that's done and the document has been  
17 certified, the Commission will then, based on the findings  
18 of the document, either go forward to approve or disapprove  
19 the project. At that point, if they decided that it's a  
20 good project, if the impacts have been mitigated or there  
21 are overriding considerations, then they would approve it.  
22 If they don't agree with that, then again that's subject to  
23 their review and their discretion regarding if they would  
24 disapprove the project based on those findings. So  
25 basically, that's our process and they use that document as

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1 a decision-making tool and it goes forward in that manner.

2 MR. SWEARINGER: Thank you, Tom.

3 Are there any questions regarding the purpose of  
4 this meeting or any of the agency processes?

5 (No response.)

6 MR. SWEARINGER: We'll note that there are  
7 representatives of North Baja in the back of the room. They  
8 have some visual materials there, some alignment sheets. If  
9 you have some questions specific to North Baja, after the  
10 meeting they'll hang around and they'll be glad to answer  
11 any questions that you may have.

12 With that, I'll go ahead and introduce the  
13 speakers who have signed up. There is one person who has  
14 signed up to speak. You'll note we have a transcription  
15 service here and to make sure that we get your comments what  
16 you need to do when you come up is to go ahead and spell  
17 your name for the record.

18 Deborah Keeth.

19 MS. KEETH: Do I need to talk in the microphone?

20 MR. SWEARINGER: I think it helps. It helps.  
21 You can sit in the chair or stand, however you want to do  
22 it.

PM1-1

23 MS. KEETH: Deborah Keeth, D-E-B-O-R-A-H, last  
24 name Keeth, K-E-E-T-H from the law firm of Shoot, Bahalli  
25 and Wineberger and I'm legal counsel for the South Coast Air

PM1-1

The end use of the natural gas that would be transported by the North Baja Pipeline Expansion Project (Project or proposed Project) is outside the scope of the Project and, consequently, is outside the scope of the environmental impact statement/environmental impact report and proposed land use plan amendment (EIS/EIR). See the response to LA16-1 for additional discussion.

# Public Meetings

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PM1-1  
(cont'd)

1       Quality Management District.  
2               The District is here tonight. We have intervened  
3       in the proceeding and so we will be party to the proceeding  
4       and we do plan on submitting detailed written comments on  
5       the draft EIS. But we're here tonight just to outline a  
6       couple of points of concerns that we have with the document.  
7               Most fundamentally, we're concerned that the  
8       project description and the definition of the project area  
9       are inadequate. In our view, the project description only  
10       discusses the construction of the pipeline and only looks at  
11       impacts in the area immediately surrounding the pipeline and  
12       we think that that's flawed. In our view, the project will  
13       expand the capacity of the pipeline and bring a substantial  
14       source of natural gas into southern California and we think  
15       it's very important to look at that aspect of the project,  
16       which is delivery and use of that resource of natural gas in  
17       southern California.

PM1-2

18               Our concerns with the definition of the project  
19       go in two directions. One is with the conformity analysis  
20       and the second is with the NEPA and SEQA review. First, as  
21       to the conformity analysis, the Clean Air Act, Section  
22       176(C) requires agencies to determine whether the proposed  
23       project is in conformance with the state implementation plan  
24       and because the draft EIS has defined the project narrowly  
25       as just construction of the pipeline, it's determined that

PM1-2

Section 4.12.3 of the draft EIS/EIR included an applicability review of the General Conformity regulations. Section 4.12.3 of the final EIS/EIR has been revised to include additional information supporting the definition of the Project evaluated for applicability and compliance with the General Conformity Rule. Project emissions would be below General Conformity Rule thresholds; therefore, a General Conformity determination is not required. Section 4.12.4 of the final EIS/EIR includes the emissions information for the construction and operation of the proposed Project. See also the responses to comments PM1-1 and LA16-1.



# Public Meetings

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PM1-2  
(cont'd)

1 there are no emissions from the operation of the pipeline  
2 and therefore will not violate the ozone and air quality  
3 standard.

4 Because we believe that the project description  
5 is flawed, as I described, the conformity analysis doesn't  
6 look at whether or use and delivery of natural gas  
7 throughout southern California will result in a violation of  
8 the air quality standard for ozone, including the precursor

PM1-3

9 pollutants. Likewise, we have concerns about the NEPA and  
10 SEQA reviews stemming from the definition of the project.  
11 The environmental laws require the agencies to look at the  
12 air quality impacts of the proposed project as compared to  
13 the existing environment, the baseline condition. And  
14 again, because the project is narrowly defined, it doesn't  
15 look at the air quality impact of burning what's been called  
16 "hot gas" in southern California. The District respectfully  
17 submits that it's an important and critical element of this  
18 project and is necessary for adequate review under both NEPA  
19 and SEQA.

PM1-4

20 We understand that TransCanada has committed to  
21 require its suppliers to meet the most stringent air quality  
22 standards that are applicable. I'm sure you're aware that  
23 the Public Utilities Commission in California recently  
24 increased the standard for natural gas. So while the  
25 District supports the present agreements in theory, we're

PM1-3

See the responses to comments PM1-1, PM1-2, and LA16-1.

PM1-4

The California Public Utilities Commission (CPUC) is the regulatory agency responsible for setting the appropriate gas quality and interchangeability standards for gas on the Southern California Gas Company (SoCalGas) and San Diego Gas & Electric Company (SDG&E) pipeline systems. Thus the quality and interchangeability characteristics of the natural gas received by SoCalGas from the North Baja Pipeline, LLC (North Baja) system would be subject to SoCalGas' CPUC-approved natural gas quality and interchangeability standards. In order for North Baja to deliver gas into the SoCalGas system, North Baja must deliver gas that meets the gas quality and interchangeability standards set by the CPUC.

The quality of natural gas distributed in southern California from the Project would be subject to a tariff agreement negotiated between North Baja and SoCalGas. Tariff agreements, and the pipeline-quality gas specifications contained within, must be approved by the CPUC to ensure public health and safety for end users and of the environment (particularly air quality). Tariff agreements would be subject to renegotiation and change over the life of the Project if market conditions change or if regulatory requirements are modified. SoCalGas' existing tariff agreements with other suppliers require compliance with Rule 30, "Transportation of Customer-Owned Gas" (SoCalGas 1997). Rule 30 includes the following specific requirements that must be met for any natural gas distributed in southern California, regardless of whether the gas is produced in California or imported from other U.S. or international gas reservoirs:

- concentration limits for a number of substances, including hydrogen sulfide, mercaptan sulfur, total sulfur, moisture or water content, CO<sub>2</sub>, oxygen, inerts, and hydrocarbons;
- specific acceptance criteria for gross heating values;
- specific acceptance criteria to ensure interchangeability of natural gas from different sources, including the American Gas Association's Wobbe Index (WI) (also referred to as Wobbe Number), lifting index, flashback index, and yellow tip index; and
- a prohibition on acceptance of natural gas shipments that "contain hazardous substances."

In September 2006, the CPUC revised Rule 30 to incorporate the following specifications regarding natural gas quality standards:

- minimum and maximum WI of 1,279 and 1,385, respectively;

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PM1-4  
(cont'd)

- minimum and maximum heating value of 990 British thermal units per dry standard cubic foot (Btu/dscf) and 1,150 Btu/dscf, respectively; and
- changes to hydrogen sulfide, mercaptan sulfur, total sulfur, water vapor, hydrocarbon dew point, liquids, merchantability, landfill gas, and biogas specification.

This decision is the culmination of a proceeding initiated by the CPUC in January 2004 to assess the sufficiency of natural gas supplies and infrastructure in California and specifically resolve some matters related to the anticipated introduction of gas supplies derived through liquefied natural gas (LNG) (CPUC 2006). Combustion of natural gas with higher heating values and a higher WI results in increased combustion temperature and, possibly, increased nitrogen oxides (NO<sub>x</sub>) emissions. Historically, natural gas in the South Coast Air Basin (SCAB) has an average heating value of about 1,020 Btu/dscf and a WI of about 1,332 (South Coast Air Quality Management District [SCAQMD] 2005). Before the adoption of the new standards, SoCalGas and SDG&E could accept natural gas with a WI as high as 1,437.

Natural gas delivered to and used in California is also regulated through CPUC General Order 58-A, "Standards for Gas Service in the State of California," which sets standards for the heating value and purity of natural gas. The heating value standard requires uniform quality of the gas supplied but does not specify an average, minimum, or maximum heating value.

As a practical matter, North Baja must meet the CPUC's standards for gas to be accepted by SoCalGas at the new interconnect. North Baja, in its precedent agreements with its shippers, has stated that it will meet the strictest gas quality standards for interconnecting pipelines.<sup>1</sup> Thus, North Baja would meet the gas quality and interchangeability standards of SoCalGas and SDG&E as required by the CPUC.

As discussed in Section 1.1, these requirements mean that either the gas delivered to Baja California would meet the most stringent gas quality standard, or the receiving terminal (i.e., Sempra LNG's [Sempra] Energia Costa Azul [ECA] terminal) would have to process the gas before delivering it to the pipelines to meet this standard. This standard is passed via tariff agreements from the SoCalGas system to each successive upstream

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<sup>1</sup> It is noted that the CPUC's ruling is currently under appeal. Whatever the final outcome of the appeal, the gas quality standards for the SoCal Gas system would be applicable to shippers on the North Baja system.

# Public Meetings

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PM1-4  
(cont'd)

pipeline until it reaches the source, which in this case is the ECA terminal. The terminal would treat the gas by injecting nitrogen, as necessary to meet the tariff requirements of its downstream pipeline, the Gasoducto Bajanorte pipeline. To verify compliance with tariff requirements (which would match the California gas quality standards), gas chromatographs would be installed, or are already in place, at one or more locations at the ECA terminal, the Gasoducto Bajanorte pipeline, the North Baja pipeline, and the SoCalGas systems. These chromatographs are routinely installed at delivery points. For example, these measuring devices are in operation or would be installed at the Ogilby Meter Station, the El Paso Meter Station at the Ehrenberg Compressor Station site, and the Blythe-Arrowhead Meter Station. Gas quality data would be telemetered from the upstream pipeline company to the downstream pipeline, which uses the data to verify that the gas coming into its system meets tariff requirements. To verify the accuracy of the chromatograph data, SoCalGas' standard protocol includes monthly witnessing of the meter calibration of the upstream pipelines (in this case, the North Baja pipeline system) and monthly collection and analysis of gas samples to monitor the carbon dioxide (CO<sub>2</sub>), total inerts, and high heating value (British thermal units) of the natural gas transported by the North Baja system.

See also the responses to comments PM1-1, LA16-1, and LA16-6 through LA16-8.

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PM1-4  
(cont'd)

1 concerned that they won't actually result in improved or at  
2 least maintain their quality level in southern California.  
3 Rather it would be something like a FERC mandated mitigation  
4 measure that requires suppliers to the new pipeline system  
5 to treat their gas to a certain level that maintains air  
6 quality that would effectively mitigate any air quality  
7 impacts. We know that TransCanada is already committed to  
8 achieving that if it's required. So we believe that it's a  
9 feasible mitigation measure that the agency should consider.

PM1-5

10 We hope that the agencies will revise the draft  
11 EIS and look at air quality impacts, make the analysis as we  
12 believe is required under federal and state law. And we  
13 also hope that FERC will conduct a full conformity  
14 determination, including adopting mitigation measures as  
15 necessary to reduce air quality impacts. And then we also  
16 hope that the agencies will consider recirculating the draft  
17 EIS based on the substantial information that we believe is  
18 required to be included in the document. Thank you.

19 MR. SWEARINGER: Thank you, Deborah. We look  
20 forward to the written comments that will be provided to us  
21 later.

22 Is there anybody else here tonight that would  
23 like to comment on the record?

24 (No response.)

25 MR. SWEARINGER: If not, then the meeting will

PM1-5

The air quality impacts of construction and operation of the North Baja Pipeline Expansion Project are discussed in Section 4.12.4. Section 4.12.3 of the final EIS/EIR has been revised to include additional information supporting the definition of the Project evaluated for applicability and compliance with the General Conformity Rule. Project emissions would be below General Conformity Rule thresholds; therefore, a General Conformity determination is not required. See also the response to comment LA16-1 for additional discussion supporting the definition of the Project evaluated for applicability and compliance with the General Conformity Rule.

As discussed in the responses to comments PM1-1 and LA16-1, the end use of the natural gas proposed to be transported by the North Baja Pipeline Expansion Project is outside the scope of the Project and, consequently, the EIS/EIR. Under the California Environmental Quality Act (CEQA), a lead agency must recirculate an EIR only when "significant new information" is added to the EIR after public review and before certification. Pursuant to the CEQA Guidelines section 15088.5, new information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of a project or of a feasible way to mitigate or avoid such effect that the project proponent has declined to implement. Recirculation of the draft EIS/EIR for the North Baja Pipeline Expansion Project is unwarranted and unnecessary because there have been no major changes to the proposed Project and no significant new circumstances or information related to the scope of the Project have arisen that would result in a new significant environmental impact or a substantial increase in the severity of an environmental impact. No new feasible and previously unanalyzed alternatives or mitigation measures that are within the jurisdiction of the environmental staffs of the Federal Energy Regulatory Commission (FERC or Commission), the California State Lands Commission (CSLC), and the Bureau of Land Management (BLM) (Agency Staffs) to impose have been identified that would warrant recirculation.

1 close. Anyone wishing to keep up with the official activity  
2 associated with the North Baja Pipeline Project can use the  
3 FERC website. Within our website there's a link called  
4 eLibrary. If you type in the docket number for the project,  
5 which is CP06-61, you can use eLibrary to gain access to  
6 everything on the FERC record concerning this project,  
7 including all the public filings and information submitted  
8 by North Baja.

9 On behalf of the Federal Energy Regulatory  
10 Commission, the California State Lands Commission and the  
11 BLM, I want to thank you all for coming here tonight. Let  
12 the record show that the meeting concluded at 7:23 p.m.  
13 Thank you.

14 (Whereupon, at 7:23 p.m., the above-entitled  
15 matter was concluded.)  
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2       FEDERAL ENERGY REGULATORY COMMISSION  
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4       - - - - -X  
5       IN THE MATTER OF:               : Docket Number  
6       NORTH BAJA PIPELINE           : CP06-61-000  
7       EXPANSION PROJECT             :  
8       - - - - -X  
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11                               DEIS Comment Meeting  
12                               Blythe City Council Chamber  
13                               235 North Broadway  
14                               Blythe, California 92225  
15  
16                               Wednesday, December 6, 2006  
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18  
19               The above-entitled matter came on for public  
20       meeting, pursuant to notice, at 7:07 p.m.  
21  
22       PANELISTS: DAVE SWEARINGEN, TOM FILLER, ALFREDO FIGUEROA,  
23       JOSEPH SWAIN  
24  
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## Public Meetings

## P R O C E E D I N G S

(7:07 p.m.)

MR. SWEARINGEN: Okay. We'll come to order.

Let's get started. On behalf of the Federal Energy Regulatory Commission and the California State Lands Commission, I want to welcome you all here tonight. Let the record show that the DEIS public comment meeting began at 7:07 p.m., December 6, 2006.

My name is Dave Swearingen, and I am an environmental project manager with the Federal Energy Regulatory Commission or "FERC."

And the gentleman here to my left is Tom Filler.  
He is with the California State Lands Commission.

We are the respective environmental project managers for the production of the Environmental Impact Statement and Environmental Impact Report for the North Baja Pipeline Expansion Project. And I'm just going to call that the "EIS" for short.

My agency, the FERC, is the federal lead for the project, and Tom's agency, the State Lands Commission, is the state lead agency.

Also with me tonight are Amy Davis and Dave Potter with NRG, the environmental contractors assisting us with the environmental analysis for the North Baja Project.

Amy is to my left and Dave is at the sign-in

## Public Meetings

1 table at the back.

2 The U.S. Bureau of Land Management is a  
3 cooperating agency for preparation of the EIS and is using  
4 the document for evaluating amendments to the California  
5 Desert Conservation Area Plan and the Yuma District Resource  
6 Management Plan.

7 Steve Fusilier, to my left at the end of the  
8 table, from the BLM, is also here with us tonight.

9 The purpose of this meeting is for the FERC, the  
10 State Lands Commission, and the BLM to get your comments on  
11 the draft EIS that we recently released. In a moment, I am  
12 going to give a brief overview of the FERC process, and then  
13 the State Lands Commission will have a chance to discuss its  
14 agency role in the North Baja Project.

15 To speak tonight, we have a sign-up sheet in the  
16 back. If you could, I would like you to sign up on that  
17 sheet, if you plan on making comments, if you haven't signed  
18 up already.

19 If you prefer not to speak tonight, you can mail  
20 a comment letter to FERC or submit comments electronically.  
21 There is a sheet in the back that explains how to submit  
22 comments through the mail or electronically. And it's also  
23 explained in the draft EIS.

24 We give all comments equal weight, regardless of  
25 how you get them to us. If you have any questions about how



## Public Meetings

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1 to submit comments, you can talk to me after the meeting. I  
2 will be glad to help you with that.

3 Okay. Where we are in the process. Right now,  
4 we are in the midst of a 90-day comment period on the draft  
5 EIS. That comment period ends on December 28th. All  
6 comments that we receive within the comment period will be  
7 addressed in our final EIS.

8 What's helpful for us is if you make -- if you  
9 want to make a comment on the draft, is to be as specific as  
10 you can. So, if you see some analysis that you think is  
11 flawed or some data that you think are incorrect, you need  
12 to point that out to us. If you just say, well, I don't  
13 like it, or I don't agree with it, without going into  
14 specifics, it's not terribly helpful.

15 What we do is, we take your comments, and then we  
16 revise the draft EIS, and then we will issue a revised  
17 version, which we will call a final EIS.

18 If you received a copy of the draft EIS, you will  
19 automatically receive a copy of the final. If you didn't  
20 get a copy of the draft, and you would like to have a copy  
21 of the final, there is a sheet in the back where you can  
22 fill it out with your address, and we will make sure that  
23 you get a copy of it.

24 We have some CDs of the draft EIS here tonight,  
25 so you can pick up one of the CDs if you need one.

## Public Meetings

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1 I would like to note that North Baja recently  
2 filed an amendment to its proposed action that includes what  
3 we call the "Arrowhead Alternative." It's discussed in  
4 Chapter 3 of the draft EIS.

5 So, from this point forward, the facilities  
6 associated with the Arrowhead Alternative are now going to  
7 be a part of the proposed action, but we are going to  
8 evaluate it as such.

9 Once we finish the final EIS, and mail it out, we  
10 will forward that on to our commissioners at FERC. The  
11 Commission will consider the environmental analysis along  
12 with other non-environmental issues in order to determine  
13 whether or not to issue an authorization for the North Baja  
14 Project.

15 So, the EIS in itself is not a decision-making  
16 document for the FERC. It is just one tool of the process.

17 Now, I am going to turn the meeting over to Tom  
18 Filler, so he can explain the California State Lands  
19 Commission involvement in the North Baja Project and how his  
20 agency is using the draft and final documents.

21 MR. FILLER: Good evening and welcome. My name  
22 is Tom Filler and I am with the California State Lands  
23 Commission. And basically the Commission's role is CEQA  
24 lead in this project, making sure that the project meets and  
25 maintains those state regulatory requirements set forth by

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1 CEQA.

2 And then right now, as you heard, we are in the  
3 comment stages for the draft EIR. Once those comments are  
4 incorporated into the final document, that document, will be  
5 presented to our Commission, and as it goes forth, the  
6 Commission will certify that the project is following and  
7 has followed the CEQA guidelines and that it's fulfilling  
8 the regulatory requirements.

9 From that point, there will be findings made by  
10 the Commission, and they will use those findings whether --  
11 to authorize the project or reject the project, based on  
12 those findings.

13 So, right now, I would, like Dave says, we are  
14 just in the comment-gathering phase of this project. And we  
15 will be proceeding from there.

16 Thanks.

17 MR. SWEARINGEN: Okay. Thank you, Tom. Tom and  
18 I will be available after the meeting if you have any  
19 questions. Steve at the BLM also can answer questions if  
20 you have any.

21 You will probably notice that North Baja has set  
22 up some posters and some information in the back that can  
23 explain -- that can explain the project to you specifically  
24 if you have any questions. I think they might have some  
25 alignment sheets if you wanted to look at anything specific

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2

1 aspects of the project.

2 And, with that, we will go ahead and take anybody  
3 who wants to comment. I see the speakers list. Here we  
4 have somebody who wishes to make comments.

5 What I would like you to do is to come up and you  
6 can stand or sit in the chair right there. When you come  
7 up, spell your name, because we have a transcriber here who  
8 is going to put this on the public record -- I mean, the  
9 official transcript of this. So, it will be good if you  
10 spell your name and speak it clearly into the microphone so  
11 that your comments will be transcribed accurately.

12 So, Alfredo Figueroa.

PM2-1

13 MR. FIGUEROA: Yes. Okay. My name is Alfredo  
14 Figueroa. A-L-F-R-E-D-O, F-I-G-U-E-R-O-A. I am here today  
15 on behalf of the Sacred Sites Protection Circle. We have  
16 been working with the BLM for a long, long time, to become  
17 the conservators of the -- and so we were very interested in  
18 this whole project, and we were very glad and fortunate that  
19 we were able to have the PG&E people circumvent our sacred  
20 sites.

21 So I am here really not to -- just to say thank  
22 you. And we were very appreciative because that would  
23 really have hurt us, we that are Natives here, to have had  
24 Plan A, B and C going down to [inaudible] Peak destroyed  
25 there. And it was really fortunate to have, I guess, some

PM2-1

These comments do not relate to the specific environmental issues analyzed within the contents of the draft EIS/EIR and raise no significant environmental issues. Thus, no changes to the document are necessary.

PM2-1  
(cont'd)

1 sympathetic people from the PG&E, or somebody, some of the  
2 people that decided that it was the best route to go -- it  
3 was the route that you took.

4 So, I am just here because -- and also because up  
5 there at Topock -- see, our creation story starts all the  
6 way from Topock down the way to the Gulf of California.  
7 Topock to us is called "Migla" -- it's where the beginning -  
8 - and PG&E really went out and then apologized to our -- one  
9 of our chairmen -- Nora from the Mojave Reservation, which  
10 was great.

11 So, we are making a little inroads -- we are, as  
12 far as these lines, gas lines and power lines and concerns.  
13 So, really my being here is just to say thank you that there  
14 was a very -- you don't know how much it means to us,  
15 because you people don't know!

16 But now you begin to know! PG&E apologized to  
17 our chairman over there for Mojave because of the  
18 destruction that they had done without consulting the  
19 Natives from the area. We know what the truth is.

20 So, before you guys leave, all you people, see  
21 that mural -- that wonderful mural, right in front? Why?  
22 It was meant for -- to be representative, because it is the  
23 center -- this is what we call the center of Laguna Dasman -  
24 - it means "cradle."

25 Be sure to see that mural, the wonderful mural in

## Public Meetings

1 the back. You won't forget it.

2 MR. SWEARINGEN: Okay. Thank you, Mr. Figueroa.  
3 There are no other people signed up on the sheet. However,  
4 the meeting is open for anybody who would like to make a  
5 comment on North Baja Project.

PM2-2

6 MR. SWAIN: Good evening. My name is Joseph  
7 Swain. That's S-W-A-I-N. I am developing a piece of  
8 property on Riviera Drive, south of Interstate 10.  
9 The residential community has already been  
10 approved from the Planning Commission and also the City  
11 Council. It is tract number 34480. It consists of 45 home  
12 sites and the proposed crossing under the Colorado River is  
13 going to go through a green belt area that we have set  
14 aside, anticipating that would probably be its most ideal  
15 location without having any further residential sandwiched  
16 between the existing gas line, east lands.

17 That being said, I support the Arrowhead  
18 Alternative as the meter stations or whatever facilities  
19 those are. I will follow that up in a written  
20 correspondence, but without becoming a major -- well, the  
21 development of that community with residential component, a  
22 metering station just does not fit in that area. And I  
23 think Arrowhead would be a much more logical location.

24 Thank you.

25 MR. SWEARINGEN: Okay. Thank you, Mr. Swain. Is

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PM2-2

Section 3.2.5 has been revised to include a discussion of the planned residential community (Edgewater Lane) on Riviera Drive that has been approved by the Blythe Planning Commission and City Council. The revised Section 3.2.5 notes that the developer has commented that the originally proposed Blythe Meter Station would impact the planned residential community and expressed a preference for the Arrowhead Alternative, which would site the meter station within the yard of SoCalGas' existing Blythe Compressor Station.

The Arrowhead Alternative was analyzed in the draft EIS/EIR and determined to be a reasonable alternative that would create no significant impacts. As discussed in Sections 1.0 and 3.2.5 of the final EIS/EIR, on November 21, 2006, North Baja filed an amendment to its February 7, 2006 FERC application requesting authorization to adopt the Arrowhead Alternative as part of the proposed Project. Based on North Baja's amendment to its application and the analysis in the draft EIS/EIR, the Arrowhead Alternative has been incorporated into the analysis of the proposed Project in the final EIS/EIR. The corresponding segment of the originally proposed Project, which included the Blythe Meter Station located at Riviera Drive, has been eliminated from further consideration.

## Public Meetings

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1       there anybody else who would like to make a comment on the  
2       project or the EIS?

3               (No response.)

4               MR. SWEARINGEN: Okay. If not, then the meeting  
5       will close.

6               Anyone wishing to keep up with the official  
7       activity associated with the North Baja Pipeline Project can  
8       use the FERC website. Within our website, there is a link  
9       called "e-library." If you type in the docket number, which  
10      for the North Baja Project is CP06-61.

11              You can use e-library to gain access to  
12      everything on the FERC record concerning this project,  
13      including all the public filings, and information submitted  
14      by North Baja.

15              On behalf of the Federal Energy Regulatory  
16      Commission, the California State Lands Commission, and the  
17      BLM, I want to thank you all for coming here tonight.

18              Let the record show that the meeting concluded at  
19      7:20 p.m. Thank you.

20              (Whereupon, at 7:30 p.m., the meeting was  
21      concluded.)

22

23

24

25